

In the drawings:

Please replace original Figure 2 with the amended Figure 2 attached to this response.

REMARKS

The courtesies extended to applicant's representative during the interview on April 11, 2005 are acknowledged with appreciation. During the interview, the outstanding rejections were discussed.

The application discloses and claims a lubrication system for an internal combustion engine. Each of the independent claims recites a first chamber or cam chest having a lubrication source, and a second chamber or fly wheel housing having a suction source with a divider extending between these two elements. A first pathway transports the lubrication from the first chamber or cam chest to the second chamber or fly wheel housing and a second pathway returns the lubrication to the first chamber or cam chest. In this manner lubrication is distributed throughout the engine and recirculated.

The Examiner rejected claims 1-8, all pending claims, as anticipated by U.S. Patent 5,924,400 (Kobayshi). Specifically, the Examiner referred to Figure 5 identified as prior art. Kobayshi discloses a two cycle engine. The Examiner identifies the first chamber 16 and a second chamber 9 with a divider between first and second chamber, and first and second pathways between the two chambers.

The engine disclosed in Figure 5 has an oil tank 15 connected to an oil pump apparatus 16. Oil and gas are delivered into a venturi tube in the oil pump where the oil/gas mixture is combined with air and introduced into the combustion chamber.

The venturi 9 is located within oil pump apparatus which does not have a first chamber and second chamber as is stated in the rejection. In rejecting claim 1, the Examiner states that the second chamber has a suction source 9, but in rejecting claim 3 states that the first pathway is the venturi 9, using the venturi to meet two claimed elements.

The oil tank 15 may be considered a first chamber and the combustion chamber may be considered a second


chamber having a suction source with a venturi forming a first passageway between the first and second chamber. However, being a two cycle engine, there is no return passageway to the first chamber 15. The lubricating oil pump apparatus 16 does not meet all of the limitations of the claim as the apparatus includes the venturi receiving air and having two passageways for oil and gas. When the venturi is considered a first passageway, there is neither a first or second chamber.

The Examiner indicated that the rejection would be withdrawn and that further search would be necessary. The Examiner also raised Re. 24,792 (Dalrymple) as possibly being of relevance to the claims. Dalrymple discloses a lubrication system for a two cycle engine. Oil in lower chamber 54 is transported to an upper chamber (crank case 20) having a crank shaft by conduit 60 and returns to the lower chamber through aperture 57. However, as disclosed in col. 5, lines 45-64, the distribution relies upon compression and suction forces created by the stroke of the piston 35 to move oil through the conduit. This in contrast to claim 9 reciting the chambers as being the cam chest and flywheel housing and dependent claims reciting that the suction source is the flywheel. Claim 1 has been amended to specify that the first and second chambers are laterally spaced from one another, in contrast to the chambers of Dalrymple are vertically spaced.

New claims 17 and 18 recite that the first and second chambers or the cam chest and flywheel housing are under the combustion chambers. Paragraph 0016 and Figure 2 have been amended to clarify this arrangement.

If any issues remain and the Examiner believes a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney. If any fees are due and owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,


Christopher J. McDonald
Reg. No. 41,533

April 12, 2005

HOFFMAN, WASSON & GITLER, PC
2461 South Clark Street
Suite 522 - Crystal Center 2
Arlington, VA 22202
(703) 415-0100

Attorney's Docket: **A-8929.AMA**